



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

Hartley *et al.*

Appl. No. 10/058,292

Filed: January 30, 2002

For: **Recombinational Cloning
Using Recombination Sites**

Confirmation No. 3058

Art Unit: 1636

Examiner: Sandals, W.O.

Atty. Docket: 0942.285000H/RWE/BJD/JKM

Second Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Second Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' First Supplemental Information Disclosure Statement filed August 11, 2003, in connection with the above-captioned application. A copy of each document is also provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

This Second Supplemental Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered. This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

Consideration of the cited documents and making the same of record in the prosecution of the above-identified application is respectfully requested. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Attorney for Applicants
Registration No. 42,473

Date: Aug. 19, 2003

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FORM PTO-1449 SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 0942.285000H/RWE/BJD/JKM	APPLICATION NO. 10/058,292
	APPLICANT Hartley et al.	
	FILING DATE January 30, 2002	GROUP 1636

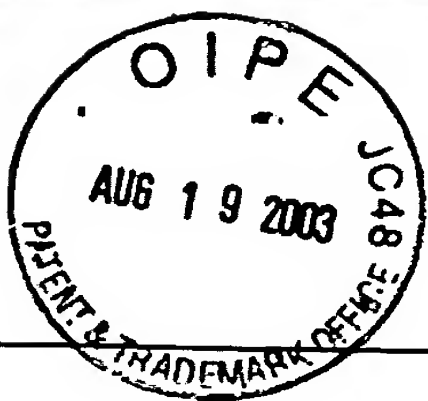
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA6	5,650,557	07/22/1997	Hannah et al.			06/07/1995
	AB6	5,728,551	03/17/1998	Devine et al.			03/02/1995
	AC6	5,801,030	09/01/1998	McVey et al.			09/01/1995
	AD6	5,814,300	09/29/1998	Scott et al.			03/03/1995
	AE6	5,837,458	11/17/1998	Minshull et al.			05/20/1996
	AF6	5,929,307	07/27/1999	Hodges et al.			12/20/1996
	AG6	5,962,255	10/05/1999	Griffiths et al.			12/05/1994
	AH6	6,080,576	06/27/2000	Zambrowicz et al.			04/08/1998
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	AJ6	6,271,436 B1	08/07/2001	Piedrahita et al.			10/10/1997
	AK6	6,361,972 B1	03/26/2002	Harrington et al.			01/10/2000

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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL6	WO 91/09957	07/11/1991	WIPO			Yes No
	AM6	WO 92/15694	09/17/1992	WIPO			Yes No
	AN6	WO 92/22650	12/23/1992	WIPO			Yes No
	AO6	WO 94/03624	02/17/1994	WIPO			Yes No
	AP6	WO 94/18333	08/18/1994	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
AR	74	Angelastro, J.M., et al., "Identification of diverse nerve growth factor-regulated genes by serial analysis of gene expression (SAGE) profiling," <i>Proc. Natl. Acad. Sci. USA</i> 97:10424-10429, National Academy of Sciences (2000).	
AS	74	Angrand, P.-O., et al., "Inducible expression based on regulated recombination: a single vector strategy for stable expression in cultured cells," <i>Nucl. Acids Res.</i> 26:3263-3269, Oxford University Press (1998).	
AT	74	Ayres, E.K., et al., "Precise Deletions in Large Bacterial Genomes by Vector-mediated Excision (VEX). The <i>trfA</i> Gene of Promiscuous Plasmid RK2 is Essential for Replication in Several Gram-negative Hosts," <i>J. Mol. Biol.</i> 230:174-185, Academic Press (1993).	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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	AA7	6,365,377 B1	04/02/2002	Patten et al.			03/03/2000
	AB7	2002/0068290 A1	06/06/2002	Yarovinsky			05/31/2001
	AC7	6,410,266 B1	06/25/2002	Harrington et al.			01/07/2000
	AD7	6,410,317 B1	06/25/2002	Farmer			07/14/2000
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EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL7	WO 96/04393	02/15/1996	WIPO			Yes No
	AM7	WO 96/30498	10/03/1996	WIPO			Yes No
	AN7	WO 96/40722	12/19/1996	WIPO			Yes No
	AO7	WO 96/40724	12/19/1996	WIPO			Yes No
	AP7	WO 99/55851	11/04/1999	WIPO			Yes No

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	AR	75	Backman, K., et al., "Use of Synchronous Site-Specific Recombination In Vivo to Regulate Gene Expression," <i>Bio/Technology</i> 2:1045-1049, Nature Publishing Company (1984).
	AS	75	Bai, C., et al., "SKP1 Connects Cell Cycle Regulators to the Ubiquitin Proteolysis Machinery through a Novel Motif, the F-Box," <i>Cell</i> 86:263-274, Cell Press (1996).
	AT	75	Barnes, G., and Rine, J., "Regulated expression of endonuclease EcoRI in <i>Saccharomyces cerevisiae</i> : Nuclear entry and biological consequences," <i>Proc. Natl. Acad. Sci. USA</i> 82:1354-1358, National Academy of Sciences (1985).

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	AL8	WO 00/60091	10/12/2000	WIPO			Yes No
	AM8	WO 01/05961	01/25/2001	WIPO			Yes No
	AN8	WO 01/07572	02/01/2001	WIPO			Yes No
	AO8	WO 01/11058	02/15/2001	WIPO			Yes No
	AP8	WO 01/62892	08/30/2001	WIPO			Yes No

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	AR	76	Bernard, P., "Positive Selection of Recombinant DNA by CcdB," <i>BioTechniques</i> 21:320-323, Eaton Publishing Company (1996).
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	AT	76	Brent, R., and Ptashne, M., "A bacterial repressor protein or a yeast transcriptional terminator can block upstream activation of a yeast gene," <i>Nature</i> 312:612-615, Macmillan Journals Ltd. (1984).

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	AL9	WO 02/05294	01/17/2002	WIPO			Yes No
	AM						Yes No
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	AR	77	Boshart, M., et al., "A Very Strong Enhancer is Located Upstream of an Immediate Early Gene of Human Cytomegalovirus," Cell 41:521-530, The MIT Press (1985).
	AS	77	Bouhassira, E.E., et al., "Transcriptional Behavior of LCR Enhancer Elements Integrated at the Same Chromosomal Locus by Recombinase-Mediated Cassette Exchange," Blood 90:3332-3344, The American Society of Hematology (1997).
	AT	77	Burioni, R., et al., "An improved phage display vector for antibody repertoire cloning by construction of combinatorial libraries," Res. Virol. 148:161-164, Elsevier (1997).

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	AL						Yes No
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	AR	78	Capone, J.P., et al., "Introduction of UAG, UAA, and UGA Nonsense Mutations at a Specific Site in the <i>Escherichia coli</i> Chloramphenicol Acetyltransferase Gene: Use in Measurement of Amber, Ochre, and Opal Suppression in Mammalian Cells," <i>Mol. Cell. Biol.</i> 6:3059-3067, American Society for Microbiology (1986).
	AS	78	Chanock, R.M., et al., "Human Monoclonal Antibody Fab Fragments Cloned from Combinatorial Libraries: Potential Usefulness in Prevention and/or Treatment of Major Human Viral Diseases," <i>Infect. Agents Dis.</i> 2:118-131, Raven Press (1993).
	AT	78	Chong, S., et al., "Single-column purification of free recombinant proteins using a self-cleavable affinity tag derived from a protein splicing element," <i>Gene</i> 192:271-281, Elsevier Science B.V. (1997).

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
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	AR	79	Choulika, A., et al. "Transfer of Single Gene-Containing Long Terminal Repeats into the Genome of Mammalian Cells by a Retroviral Vector Carrying the cre Gene and the loxP Site." <i>J. Virol.</i> 70:1792-1798, American Society for Microbiology (1996).
	AS	79	Chuang, C.-F., and Meyerowitz, E.M., "Specific and heritable genetic interference by double-stranded RNA in <i>Arabidopsis thaliana</i> ," <i>Proc. Natl. Acad. Sci. USA</i> 97:4985-4990, National Academy of Sciences (2000).
	AT	79	Cormack, B., "Directed Mutagenesis Using the Polymerase Chain Reaction," in <i>Current Protocols in Molecular Biology</i> , Ausubel, F.M., et al., eds., John Wiley & Sons, Inc., New York, NY, pp. 8.5.1-8.5.10 (1997).

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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	80	Cigan, A.M., et al., "Mutational Analysis of the <i>HIS4</i> Translational Initiator Region in <i>Saccharomyces cerevisiae</i> ," <i>Mol. Cell. Biol.</i> 8:2964-2975, American Society for Microbiology (1998).
	AS	80	Curcio, M.J., and Garfinkel, D.J., "Single-step selection for Ty1 element retrotransposition," <i>Proc. Natl. Acad. Sci. USA</i> 88:936-940, National Academy of Sciences (1991).
	AT	80	Datson, N.A., et al., "MicroSAGE: a modified procedure for serial analysis of gene expression in limited amounts of tissue," <i>Nucl. Acids Res.</i> 27:1300-1307, Oxford University Press (1999).

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U.S. PATENT DOCUMENTS							
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	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
AR	81	Davis, C.R., et al., "Analysis of the Mechanisms of Action of the <i>Saccharomyces cerevisiae</i> Dominant Lethal <i>cdc42</i> ^{G12V} and Dominant Negative <i>cdc42</i> ^{D118A} Mutations," <i>J. Biol. Chem.</i> 273:849-858, The American Society for Biochemistry and Molecular Biology (1998).	
AS	81	Deng, M.-D., and Coleman, J.R., "Ethanol Synthesis by Genetic Engineering in <i>Cyanobacteria</i> ," <i>Appl. Environ. Microbiol.</i> 65:523-528, American Society for Microbiology (1999).	
AT	81	Derbyshire, V., and Belfort, M., "Lightning strikes twice: Intron-intein coincidence," <i>Proc. Natl. Acad. Sci. USA</i> 95:1356-1357, National Academy of Sciences (1998).	

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	AL						Yes No
	AM						Yes No
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	AO						Yes No
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	82	Dijkema, R., et al., "Cloning and expression of the chromosomal immune interferon gene of the rat." <i>EMBO J.</i> 4:761-767, IRL Press Limited (1985).
	AS	82	Enquist, L.W., and Weisberg, R.A., "The Red Plaque Test: A Rapid Method for Identification of Excision Defective Variants of Bacteriophage Lambda," <i>Virology</i> 72: 147-153, Academic Press (1976).
	AT	82	Esposito, D., and Scocca, J.J., "The integrase family of tyrosine recombinases: evolution of a conserved active site domain," <i>Nucl. Acids Res.</i> 25:3605-3614, Oxford University Press (1997).

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	AL						Yes No
	AM						Yes No
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	AR	83	Feinbaum, R., "Vectors Derived from Plasmids," in <i>Current Protocols in Molecular Biology</i> , Ausubel, F. M., et al., eds., John Wiley & Sons, Inc., New York, NY, pp.1.5.1-1.5.17 (1998).
	AS	83	Flanagan, P.M., and Fennewald, M.A., "Analysis of Inhibitors of the Site-specific Recombination Reaction Mediated by TN3 Resolvase," <i>J. Mol. Biol.</i> 206:295-304, Academic Press (1989).
	AT	83	Flores, A., et al., "A protein-protein interaction map of yeast RNA polymerase III," <i>Proc. Natl. Acad. Sci. USA</i> 96:7815-7820, National Academy of Sciences (1999).

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	AR	84	Francia, M.V., et al., "The IntI1 Integron Preferentially Binds Single-Stranded DNA of the attC Site," <i>J. Bacteriol.</i> 181:6844-6849, American Society for Microbiology (1999).
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OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	85	Gay, P., et al., "Cloning Structural Gene <i>sacB</i> , Which Codes for Exoenzyme Levansucrase of <i>Bacillus Subtilis</i> : Expression of the Gene in <i>Escherichia coli</i> ," <i>J. Bacteriol.</i> 153:1424-1431, American Society for Microbiology (1983).
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0942.285000H/RWE/BJD/JKMAPPLICATION NO.
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	AR	86	Gronostajski, R.M., and Sadowski, P.D., "The FLP Protein of the 2-micron Plasmid of Yeast. Inter- and Intramolecular Reactions," <i>J. Biol. Chem.</i> 260:12328-12335, The American Society of Biological Chemists (1985).
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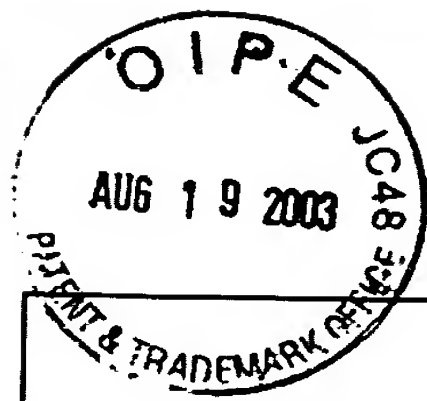
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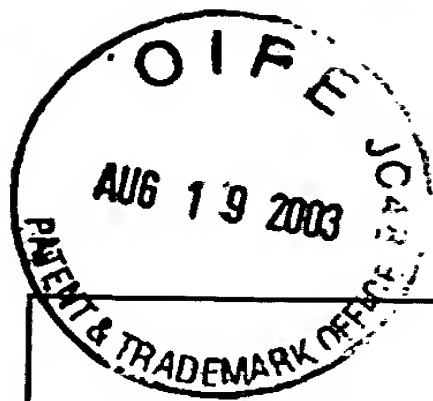
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	AR	92	Kozak, M., "Comparison of Initiation of Protein Synthesis in Procaryotes, Eucaryotes, and Organelles," <i>Microbiol. Rev.</i> 47:1-45, American Society for Microbiology (1983).
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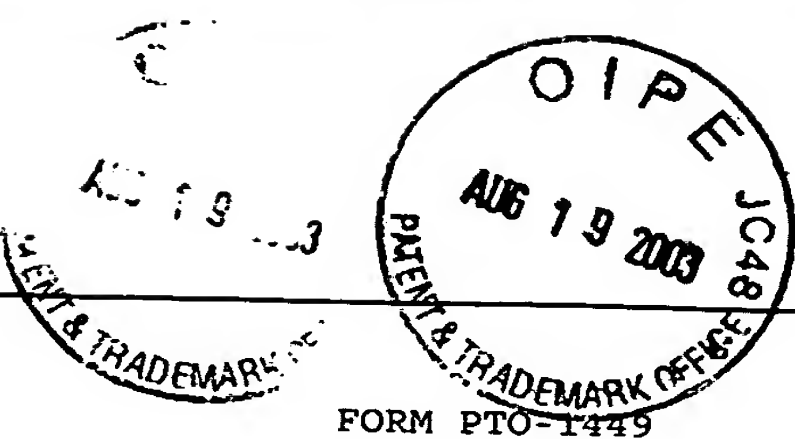
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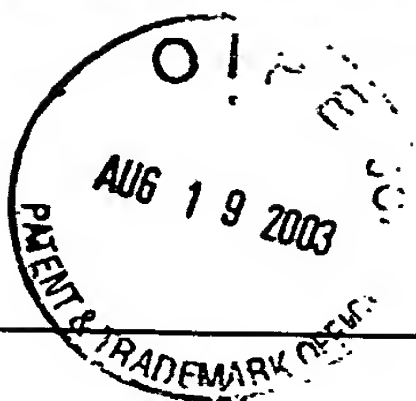
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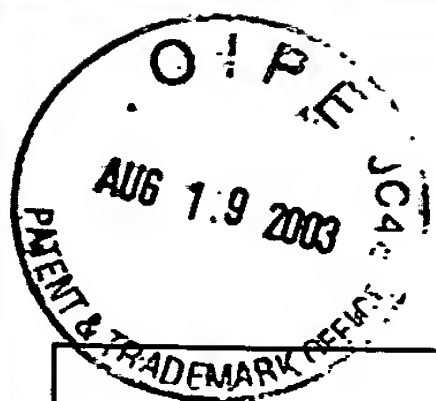
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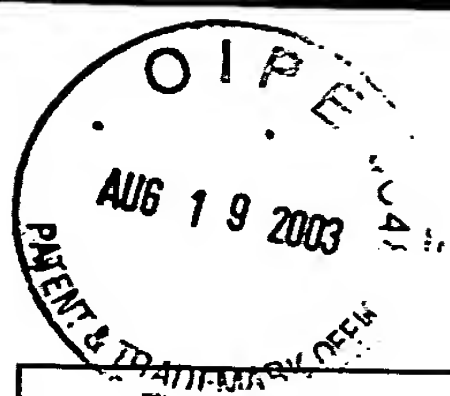
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	AR	<u>104</u>	Sambrook, J., et al., <i>Molecular Cloning: A Laboratory Manual</i> , 2nd ed., Cold Spring Harbor Laboratory Press, New York, NY, pp. 16.6-16.8, (1989).
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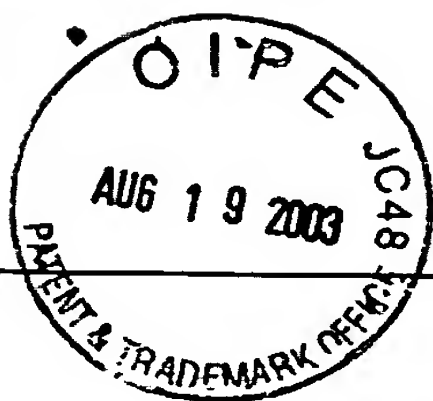
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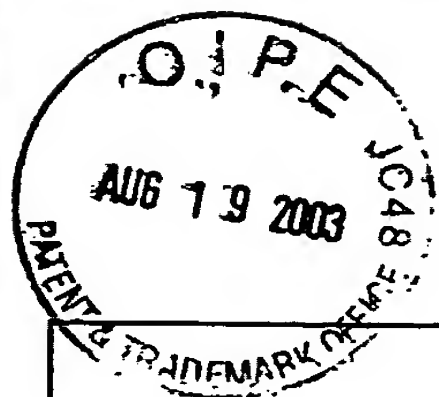
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INFORMATION DISCLOSURE STATEMENTATTY. DOCKET NO.
0942.285000H/RWE/BJD/JKMAPPLICATION NO.
10/058,292APPLICANT
Hartley et al.FILING DATE
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U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO						Yes No
	AP						Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	112	Yoon, H., et al., "SSL1, a suppressor fo a HIS4 5'-UTR stem-loop mutation, is essential for translation initiation and affects UV resistance in yeast," Genes Dev. 6:2463-2477, Cold Spring Harbor Laboratory Press (1992).
	AS		
	AT		

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.